

**REMARKS**

Claims 1-8 and 38-41 have been examined. Claims 1-3, 5, and 38-40 have been rejected under 35 U.S.C. § 102(e), and claims 4 and 6-8 have been rejected under 35 U.S.C. § 103(a).

Also, the Examiner has indicated that claim 41 contains allowable subject matter. By way of this Amendment, Applicants have amended claim 41 to be in independent form. In addition, Applicants have added new independent claims 42 and 43 which respectively correspond to claims 38 + 41 and claims 40 + 41. Finally, Applicants have added new dependent claims 44-46 which respectively depend from claims 1, 38 and 40. Applicants have cancelled claim 39. For the following reasons, it is believed that the application is in condition for allowance.

**I. Rejection under 35 U.S.C. § 102(e) over U.S.P. 6,419,336 to Takahashi (“Takahashi”)**

Claims 1-3, 5, and 38-40 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Takahashi. Applicants submit that the claims are patentable over the cited reference.

**A. Claim 1**

Claim 1 relates to an ink jet recording apparatus that comprises a data developer that develops print data into multi-bit jetting data. The Examiner contends that Takahashi suggests that “RGB print data” is developed into multi-bit jetting data and provided to the CPU 210 via the print data receiver 218. (Page 2 of Office Action). Based on Applicants understanding, the

Examiner is contending that Takahashi's "data developer" is a component, which is not described in the reference and which is located upstream from the print data receiver 218.

There is absolutely no disclosure of suggestion of these features in Takahashi. For example, column 7, lines 25-28, describes the receiver 218 as a "print data" receiver 218 or a "print instruction" receiver 218. Takahashi does not teach that anything develops any additional type of print data that the receiver 218 receives. Thus, the reference clearly does not suggest that any component develops the specific "RGB print data" into the print data as the Examiner alleges. If "RGB print data" actually exists in the system, the receiver 218 likely receives this type of print data, and there is likely no "development" of this print data into any kind of multi-bit jetting data as claimed. Accordingly, Applicants submit that claim 1 is patentable.

Also, claim 1 comprises a drive signal generator, a translator, and a drive pulse supplier. The drive signal generator generates a drive signal that includes drive pulses. The translator translates the jetting data into pulse select information, and the drive pulse supplier selectively supplies the drive pulses to a pressure generating element in accordance with the pulse select information.

The Examiner contends that the pulse generators 220 and 222 correspond to the claimed drive signal generator and that the input terminals 187 and 188 correspond to the claimed drive pulse supplier. However, the input terminals 187 and 188 are merely electrical connections that allow all of the signals output from the generators 220 and 222 to flow to the charging and discharging circuits 182 and 184, respectively. Therefore, the terminals 187 and 188 do not

selectively supply drive pulses to a pressure generating element in accordance with pulse select information.

Also, the claim states that the data developer develops the print data into the jetting data so as to indicate the size of the dot to be recorded in a basic recording mode. Since alleged “data developer” is located upstream from the print data receiver 218 and is not described in Takahashi, there is absolutely nothing in the reference that suggests that the data developer develops print data into jetting so as to indicate the size of the dot to be recorded in a basic recording mode. Therefore, Takahashi does not suggest this feature.

Accordingly, Applicants submit that claim 1 is patentable for at least the above reasons.

**B. Claims 2, 3, and 5**

Since claims 2, 3, and 5 depend upon claim 1, these claims are patentable at least by virtue of their dependency.

**C. Claims 38 and 40**

Since claims 38 and 40 contain features that are analogous to some of the features discussed above in conjunction with claim 1, Applicants submit that such claims are patentable for similar reasons.

**II. Rejection under 35 U.S.C. § 103(a) over Takahashi, U.S.P. 6,130,700 to Murayama et al. (“Murayama”), and U.S.P. 6,257,688 to Kubo (“Kubo”)**

Claims 4 and 6-8 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Takahashi in view of Murayama or Kubo. Since claims 4 and 6-8 depend upon claim 1 and

since Murayama and Kubo do not cure the deficient teachings of Takahashi with respect to claim 1, these claims are patentable at least by virtue of their dependency.

### **III. Allowable subject matter**

The Examiner has objected to claim 41 for being dependent upon rejected base claim 1 but indicates that it would be allowed if it is rewritten in independent form. As noted above, claim 41 has been amended to be in independent form. Thus, claim 41 should be allowable. Further, new independent claims 42 and 43 include the features recited in claim 41. Thus, these claims should be allowable. Finally, new claims 44 - 46 respectfully depend from claims 1, 38 and 40. Thus, these claims are likewise patentable. Further, Applicants note that Takahashi clearly discloses that the volume of ejected ink droplet is changed in accordance with the selected mode. Thus, these claims are further patentable based on the limitations contained therein.

In view of the foregoing, it is submitted that the application is in condition for allowance.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111  
U.S. Appln. No. 10/665,149

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Brian W. Hannon', written over a horizontal line.

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